FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPEAL NO.281 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.D.R.More, APP for the appellant.

Coram : R.S.Mohite,J

Date : 17th January, 2006.

PC

1. This is an appeal filed by the State impugning a Judgment and order passed by the VII Additional Sessions Judge, Satara, on 11.11.2003 acquitting accused nos.1 to 7 for offences under sections 363 r/w 34 and 366 r/w 34 and 366 A r/w 34 of IPC. On perusal of the impugned judgment and order, it is seen that the same is passed for cogent and acceptable reasons. After considering the evidence before the Court, the Court has concluded that the girl Jyoti voluntarily left her house without any enticement. Reference is made to the evidence of PW-8 Mr.Giri who is a Priest to perform the marriage between

Jyoti and accused no.7. He has stated that Jyoti herself told him that she was 19 years of age. It appears that Jyoti was about or very near to the age of majority and therefore, Court has acquitted the accused. The view taken is a possible view. There is also a delay of one month in lodging of the complaint. In the circumstances, leave is refused and consequently appeal to stand dismissed.

(R.S.Mohite,J)